

IN THE UNITED STATES DISTRICT COURT  
FOR THE MIDDLE DISTRICT OF ALABAMA OF  
NORTHERN DIVISION

DARREN LAVON SMILEY,	)	
	)	
Petitioner,	)	
v.	)	CASE NO. 2:08-cv-0690-MEF
	)	
UNITED STATES OF AMERICA,	)	
	)	
Respondent.	)	

**ORDER**

On September 11, 2008, the Magistrate Judge filed a Recommendation (Doc. #5) in this case to which no timely objections have been filed. Upon an independent review of the file in this case and upon consideration of the Recommendation of the Magistrate Judge, it is the

ORDER, JUDGMENT and DECREE of the court that:

1. The Recommendation of the Magistrate Judge is ADOPTED.
2. The 28 U.S.C. § 2255 motion filed by Smiley is DENIED, as the claims therein entitled him to no relief.

DONE this the 30th day of September, 2008.

/s/ Mark E. Fuller  
CHIEF UNITED STATES DISTRICT JUDGE